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EXAMINER

SRIVASTAVA, VIVEK

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/524,770

Applicant(s)

MYERS ET AL.

Examiner

Vivek Srivastava

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/25/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 and 33-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 and 33-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

(1) Applicant argues that Kahn does not teach a hard disk storage device as recited in the amended claims.

The Examiner concurs with applicants that Kahn does not teach this feature of a hard disk storage device. However, it would have been obvious to modify Kahn to include this feature.

(2) Applicant argues that Kahn does not teach the first or second adapters as recited in claim 4.

The Examiner respectfully disagrees that Applicant's have given too much weight to word 'receive'. Receiving, as defined by many dictionaries, means to 'meet with' or 'to acquire information from.' Data busses 230 and 240 clearly 'meet with' and/or 'acquire information from' from the tuner and media storage device. It should be noted that the definition of receiving also includes to physically accommodate, as argued by Applicant's. Considering this definition, Kahn inherently meets the claimed limitation since there must be some means in electronic device in fig 2A to hold in place or secure both the tuner 202 and SRAM 216. The means for securing the tuner and SRAM would be the first and second adapters respectively.

Art Unit: 2611

(3) Applicant argues that nowhere in the cited references is there taught of suggested a dedicated tuner that is constantly tuned to receive a single broadcast signal and that is coupled to a hard disk drive.

The Examiner disagrees with Applicant's that Khan does not teach a dedicated tuner that is constantly tuned to receive a single broadcast signal. Kahn discloses 'home adapter 177 for tuning to and receiving the game data channel(s)...'(see col 6 lines 49 – 55). The home adapter is dedicated to receive at least a single game channel...met by 'channel(s)'. Further, it would have been obvious to modify Kahn to include a hard disk drive. As a result, the Applicant's arguments are not persuasive.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 33 is rejected under 35 U.S.C. 102(e) as being anticipated by Kahn (US 6,029,046).

Regarding claim 33, Khan discloses an electronic media system comprising a SRAM storage device 216 (fig 2A) which stores media content to fill the guaranteed capacity of the RAM. Kahn further discloses a dedicated tuner 202 (receiver) that receives new media content transmitted via a broadcast signal (col 6 lines 49 – 52 and col 8 line 51). Kahn discloses outputting a signal to the display corresponding to at least a portion of the media content from which images are derived and formatted for presentation to viewers (see col 6 lines 49 – 52, col 8 line 51). Khan discloses a menu for receiving user inputted selections related to the media content and wherein portions of the stored media are deleted to make room for new media content (see col 8 lines 56 – 56).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2611

Claims 1, 2, 4, 8 – 14, 16 – 19, 21, 23 – 26, 28, 29, 31, 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kahn et al (US 6,029,046).

In regard to claim 1, Khan discloses an electronic media service module (Figs. 1 & 2A, adapter 177) for enabling a dedicated media service of a broadcast signal (game data channel (col. 6, lines 49-52), which is one channel of multiple service channels, such as cable television, etc. (col. 6, lines 30-36)), said media device comprising: a tuner (Fig. 2A, 202) that is dedicated to receive a single single media content broadcast signal carrying media content (at time of operation, 202 is tuned to game data channel; col. 7, lines 50-53), a media storage device (SRAM 216 (Fig. 2A) stores data during operation; col. 8, line 51) coupled to said tuner (Fig. 2A); and an adapter (Fig. 2A, connector 250) coupled to said tuner (Fig. 2A), said adapter for interfacing said electronic media device (Fig. 2A, edge connector 250) with an electronic media system (to player 178 (Fig. 2A); col. 8, lines 41-45).

As disclosed above, Khan discloses a SRAM but fails to disclose a hard disk drive. Official notice is taken that a hard disk drive is known in the art to provide a large amount of memory. Therefore, it would have been obvious to one having ordinary skill in the art to modify Khan to include the claimed limitations to provide a memory with more storage.

In regard to claim 2, Kahn discloses the electronic media service module recited in claim 1 wherein a portion of said media storage device is dedicated to said single broadcast signal (SRAM 216 stores game data', col. 8, line 51). It would have been obvious to modify SRAM to a hard disk drive as discussed above.

In regard to claim 4, Khan discloses an electronic media device (Figs. 1 & 2A, adapter 177) for providing a dedicated media service of broadcast signals (game data channel (col. 6, lines 49-52), which is one channel of multiple service channels, such as cable television, etc. (col. 6, lines 30-36)), said electronic media device comprising:

a first adapter (data bus 230 to ASIC input data port; col. 7, lines 58-60) for receiving a tuner (Fig. 2A, tuner 202) constantly tuned to receive a single broadcast signal (at time of operation, 202 is tuned to game data channel; col. 7, lines 50-53);

a second adapter (Fig. 2A, bus 240) for receiving a media storage device (Fig. 2A, SRAM 216) coupled to said tuner (Fig. 2A) wherein said media storage device has a dedicated storage capacity for said single broadcast signal received by said tuner (216 stores game data; col. 8, lines 51-55);

a first interface (Fig. 2A, RF input 201) coupled to said first adapter (as seen in Fig. 2A) for coupling said electronic media device to a media system (the service(s) provided to subscriber location 175; col. 7, lines 43-53); and

a second interface (Fig. 2A, connector 250) coupled to said second adapter (Fig. 2A) for coupling said electronic media device to said media system (to subscriber location 175 (Fig. 1), in particular, to player 178 of location 175, as Seen in Fig. 2A).

In regard to claim 8, Khan discloses an electronic media system (Fig. 1, player 178) comprising:

an electronic media device (Figs. 1 & 2A, adapter 177) having a dedicated tuner for a broadcast signal (at time of operation, tuner 202 is tuned to game data channel;

col. 7, lines 50-53) and a dedicated portion of a media storage device for said broadcast signal (SRAM 216 (Fig. 2A) stores data during operation, col. 8, line 51); and

a display device (Fig. 1, 178d) coupled to said electronic media device (as seen in Fig. 1);

a processor (microprocessor, col. 7, lines 9-10) coupled to said electronic media device (microprocessor of 178, coupled to 177 through connector 250 (Fig. 2A), as seen in Figs. 1 & 2A); and

a computer readable memory (random access memory and program memory; col. 7, lines 9-11) coupled to said processor and containing program instructions stored therein that, when executed, implement a method for enabling an on-site media service at said electronic media system (the instructions to operate/execute the downloaded game data (service) for player 178).

It would have been obvious to modify SRAM to a hard disk drive as discussed above.

In regard to claim 9, Kahn discloses the electronic media system recited in claim 8 further comprising a user input device (user input via key, joystick, etc., col. 7, lines 19-21).

In regard to claim 10, Kahn discloses the electronic media system recited in claim 8 wherein said processor and said program instructions stored on said computer readable memory provide a resident-software platform for interfacing a content provider and a presentation engine (the software platform of 178 to operate the game data from provider 150 residing on 177).

In regard to claim 11, Kahn discloses the electronic media system recited in claim 8 wherein said processor and said program instructions stored on computer readable memory enable content provider control (PTP authorization is transmitted from the service provider to the subscriber (col. 15, lines 23-32) which loads the PTP table to enable the provider to control games that are downloaded to the subscriber to halt play either when there is continuous play or the subscriber's playtime has reached zero; col. 16, lines 1-19) and user interaction of media content data and media content options of said on-site media service (subscriber views available games to download on a PTP menu created from the PTP table', col. 15, line 57 - col. 16, line 2).

In regard to claim 12, Kahn discloses the electronic media system recited in claim 8 wherein said processor and said program instructions stored on computer readable memory enable content provider control (PTP authorization is transmitted from the game delivery service provider to the subscriber (col. 15, lines 23-32) which loads the PTP table at the subscriber in order to enable the provider to control the games that are downloaded to the subscriber by halting play either when there is continuous playing or the subscriber's playtime has reached zero; col. 16, lines 1-19) and enable user interaction of media services and media service options of said on-site media service (controls which days are authorized days to download; col. 19, lines 47-62).

In regard to claim 13, Kahn discloses the electronic media system recited in claim 8 wherein said processor and said program instructions stored on computer readable memory enable content provider control (PTP authorization is transmitted from the game delivery service provider to the subscriber (col. 15, lines 23-32) which loads

Art Unit: 2611

the PTP table at the subscriber in order to enable the provider to control the games that are downloaded to the subscriber by halting play either when there is continuous playing or the subscriber's playtime has reached zero; col. 16, lines 1-19) and enable user interaction of device functions and device options of said electronic media device (user plays the requested game up to the maximum playing time; col. 19, lines 25-46).

In regard to claim 14, Kahn discloses the electronic media system recited in claim 8 wherein said processor and said program instructions stored on computer readable memory enable the content provider to control (PTP authorization is transmitted from the game delivery service provider to the subscriber (col. 15, lines 23-32) which loads the PTP table at the subscriber in order to enable the provider to control the games that are downloaded to the subscriber by halting play either when there is continuous playing or the subscriber's playtime has reached zero; col. 16, lines 1-19) software updates to said electronic media device via data incorporated into said broadcast signal (game data channel (col. 6, lines 49-52), provides new games to download to 177 if subscriber is authorized and does not download if not authorized; col. 21, lines 45-62).

In regard to claim 16, Khan discloses a method of enabling an on-site media service (game data channel (col. 6, lines 49-52), which is one channel of multiple service channels, such as cable television, etc. (col. 6, lines 30-36) transmitted to subscriber location 175), said method comprising the steps of:

a) formatting a media signal (Fig. 1, broadcasted signal from service provider 150., multiple service channels, such as cable television, etc., col. 6, lines 30-36) with

Art Unit: 2611

content data (any one of the multiple service channels; col. 6, lines 30-36) and with on-site media service data (game data channel, is one channel of the multiple service channels, col. 6, lines 30-36)., and

b) broadcasting said media signal to an on-site media system (to subscriber location 175 (Fig. 1)., and col. 6, lines 35-36) having a dedicated tuning device (at time of operation, tuner 202 is tuned to game data channel; col. 7, lines 50-53) and a dedicated portion of a media recording device (Fig. 2A, SRAM 216 stores game data; col. 8, lines 51-55) for said media signal.

It would have been obvious to modify SRAM to a hard disk drive as discussed above.

In regard to claim 17, Kahn discloses the method recited in claim 16 wherein said on-site media service data allows a content provider to remotely control said onsite media service on said on-site media system (PTP authorization is transmitted from the game delivery service provider to the subscriber (col. 15, lines 23-32) which loads the PTP table at the subscriber in order to enable the provider to control games that are downloaded to the subscriber by halting play either when there is continuous playing or the subscriber's playtime has reached zero (col. 16, lines 1-19), such as controlling actual amount of game playing time and authorization days (col. 19, lines 15-55)).

In regard to claim 18, Kahn discloses the method recited in claim 16 wherein said on-site media service data has interactive options (subscriber playing game on player 178) that are responsive to a viewer input on said on-site media system (178 has user input via key, joystick, etc.; col. 7, lines 19-21).

In regard to claim 19, Kahn discloses the method recited in claim 16 wherein said on-site media system has a resident-software platform (the software platform of 178 to operate and play the game data from 177) for interfacing information between a content provider (game data from provider 150), a presentation engine (output to display 178d of Fig. 1), and a viewer (subscriber at location 175).

In regard to claim 21, Kahn discloses the method recited in claim 16 wherein said on-site media service data enables said on-site media system to record a portion of said media signal on said dedicated portion of said media recording device according to subscription information (the RA map controls when the subscriber is authorized to download and store (record) a game; col. 19, lines 47-55).

It would have been obvious to modify SRAM to a hard disk drive as discussed above.

In regard to claim 23, Kahn discloses the method recited in claim 16 wherein said on-site media service data includes management information for said on-site media system (identifiers provide maximum playing time and authorized down load of games; col. 19, lines 15-55).

In regard to claim 24, Kahn discloses the method recited in claim 23 wherein said management information instructs said on-site media system how to manage said portion of said media signal recorded on said dedicated portion of said media recording device (after playing time expires, the game is suspended and is no longer playable or downloadable, col. 19, lines 29-31).

It would have been obvious to modify SRAM to a hard disk drive as discussed above.

In regard to claim 25, Kahn discloses the method recited in claim 16 wherein said on-site media service data includes presentation information (subscriber views the pay to play (PTP) menu; col. 15, lines 57-67).

In regard to claim 26, Kahn discloses the method recited in claim 25 wherein said presentation information enables said on-site media system to arrange said portion of said media signal recorded onto said dedicated portion of said media recording device into a presentation format (PTP menu displays available games for download and remaining time left on current games, col. 15, lines 60-63).

It would have been obvious to modify SRAM to a hard disk drive as discussed above.

In regard to claim 28, Kahn discloses the method recited in claim 16 wherein said on-site media service data provides software updates (game data channel (col. 6, lines 49-52), provides new games to download to 177 if subscriber is authorized, col. 21, lines 45-55).

In regard to claim 29, Kahn discloses the method recited in claim 16 wherein said on-site media service data includes function information that enhances functionality of said on-site media system (subscriber can view the pay to play (PTP) menu and request a game to download; col. 15, line 57 - col. 16, line 2).

Claim 31 recites the same limitations as discussed above and is therefore rejected on the reasoning provided above. Claim 31 further recites a plurality of

electronic cartridges which is met by the plurality of adapters in Kahn (see col 6 lines 50 – 55).

As to claim 34, Khan fails to disclose the claimed wherein the media content comprises motion pictures. Official notice is take it would have been well known to save highlights of previous games or to receive previous of other games to provide a user with a means for seeing previous game highlights or previews of other games (i.e. motion pictures). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Khan to include the claimed limitation to provide the user with previous game highlights or previews of other games.

Claim 35 is met by the discussions above.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kahn et al (6,029,046), in view of Strubbe et al (5,483,278)

In regard to claim 3, Kahn discloses the electronic media service module recited in claim 2 wherein a device is dedicated to input from a user regarding said dedicated media service (user input via key, joystick, etc.; col. 7, lines 19-21).

However, Kahn fails to provide another portion of said media storage device that is dedicated to input from a user, as claimed.

In an analogous art, Strubbe teaches a memory device dividing into portions, one of which is dedicated to user input (Fig. 3, memory section 54 stores records of indication from the user of "liked" or "disliked", col. 5, lines 7-17 and lines 52-58), which

Art Unit: 2611

provides a profile of the viewer in order to select programs that are of current interest to the viewer (as described in col . 6, lines 39-53).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Kahn with providing another portion of said media storage device that is dedicated to input from a user, as taught by Strubbe, for the benefit of providing a profile of the subscriber in order to select media content that is of current interest to the subscriber in an electronic media cartridge.

It would have been obvious to modify SRAM to a hard disk drive as discussed above.

Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kahn et al (6,029,046) in view of Sata et al (5,134,499).

In regard to claim 5, Kahn discloses the electronic media device recited in claim 4.

Although Kahn discloses of a plurality of game adapters at each location (col. 6, lines 52-54), he fails to specifically provide a plurality of tuners, as claimed.

In an analogous art, Sata teaches a plurality of tuners (multiple tuners 1 , as seen in Fig. 3 and col. 7, lines 39-50), for the benefit of simultaneously receiving multiple broadcasts from multiple broadcasters, of which each can be individually recorded (col. 7, lines 39-41).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Kahn with providing a plurality of

Art Unit: 2611

tuners, as taught by Sata, since multiple tuners allows for simultaneous reception of multiple broadcasts from multiple broadcasters in an electronic media device.

In regard to claim 6, the combined systems of Kahn and Sata disclose the electronic media device recited in claim 5.

Although Kahn discloses of a plurality of media storage (Kahn: Fig. 2A, various memories 210-(1-i), 211-(1-j), and 216), they fail to provide a plurality of media storage devices, wherein each of said plurality of media storage devices is respectively coupled to one of said plurality of tuners, as claimed.

However, Sata further teaches providing a plurality of media storage devices (Fig. 3, disks 4), wherein each of said plurality of media storage devices is respectively coupled to one of said plurality of tuners (each disk 4 is coupled to a respective tuner 1 ; as seen in Fig. 3 and col. 7, lines 39-50). This makes it possible to provide simultaneous recording capability for multiple channels (col. 7, lines 39-41).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined systems of Kahn and Sata with providing a plurality of storage devices, as further taught by Sata, for providing simultaneous recording capability for multiple channels in an electronic media device.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kahn et al (6,029,046), in view of Sata et al (5,134,499), in further view of Gerba (5,931,908).

In regard to claim 7, the combined systems of Kahn and Sata disclose the

Art Unit: 2611

electronic media device recited in claim 5.

However, they fail to provide an Internet link coupled to **said second** interface, as claimed.

In an analogous art, Gerba teaches providing an Internet link (communication medium 32 used to coupled to Internet servers 28;, col. 9, lines 1-16), for providing the user with the ability to gain further detailed information for a selected story from a world-wide web site (col. 9, lines 11-16).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined systems of Kahn and Sata with providing an Internet link, as taught by Gerba, to provide the user with the ability to gain further detailed information from a related world-wide web site in an electronic media device.

Claims 15 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kahn et al (6,029,046) in view of Doornhein et al (6,078,360).

In regard to claim 15, Kahn discloses the electronic media system recited in claim 8 wherein said method comprises the steps of:

a) receiving a media signal (multiple service channels, such as cable television, etc., col. 6, lines 30-36) at an on-site electronic media device (at 177);

b) retaining a portion of said media signal (SRAM 216 stores game data; col. 8, line 51) accessible to said on-site media system (data in 216 of 177 are received into player 178., col . 8, lines 41-45).,

e) managing said media storage device (177 decodes, authorizes and controls the data (manages; col. 6, lines 49-52),

f) generating a media presentation on-site of user according to a user input (the subscriber's selected game) and according to a subscription requirement (maximum playing time is determined by amounts paid up front (subscription requirement; col. 19, lines 25-46), and

g) enabling interactive service between a viewer (subscriber using player 178 selects a game from the play to pay (PTP) menu available for download from the service provider; col. 15, line 57 - col. 16, line 2) and a content provider (local service provider 150, which provides the game data to 175, as seen in Fig. 1 and col. 6, lines 20-36).

Although Kahn discloses of transmitting various services, such as cable television (col. 6, lines 32-36) and filtering (ASIC 200 filters data; col. 8, line 31-33), Kahn fails to specifically filter a content portion of said media signal, and on-site media service data portion of said media signal, and storing said content portion of said media signal and its respective on-site media service data portion of said media signal to said dedicated portion of said media storage device, as claimed.

In an analogous art, Doornhein teaches filtering a content portion of said media signal and an on-site media service data portion of a media signal (Fig. 4, receiving apparatus has device 43 for separating video television signal (content portion) and device 45 for separating the signaling bit stream/additional data (service data portion; col. 4, lines 13-20), storing said content portion of said media signal and its respective

Art Unit: 2611

on-site media service data portion of a media signal to a portion of a media storage device (recording unit 13 records the television signal (content portion) with the additional data (service data portion; col. 3, lines 10-17). This provides several benefits such as maintaining parental control of recorded programs on playback and maintaining copyright protection of recorded programs (col. 3, line 37 - col. 4, line 5 and col. 5, lines 41-48).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Kahn with filtering a content portion of a media signal and on-site media service data portion of a media signal, and storing said content portion of said media signal and its respective on-site media service data portion of said media signal to a portion of a media storage device, as taught by Doornhein, for the benefits of maintaining parental control of recorded programs on playback and maintaining copyright protection of recorded programs in an electronic media system.

It would have been obvious to modify SRAM to a hard disk drive as discussed above.

In regard to claim 20, Kahn discloses the method recited in claim 16.

However, Kahn fails to provide a media signal that is formatted with metadata on a fine-grain basis for intervals shorter than a broadcast program time span, as claimed.

In an analogous art, Doornhein teaches providing a media signal (television signal) that is formatted with metadata (devices 3 and 5 send control/additional data including indications (metadata) of aspect ratio of the video signal; col. 2, lines 53-66)

Art Unit: 2611

on a fine-grain basis for intervals shorter than a broadcast program time span (data is distributed a rate of at least one bit per frame of the signal', col. 2, line 59 - col. 3 line 10). This provides a broadcasted signal with real-time indications of additional data specific to the current program.

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Kahn with providing a media signal that is formatted with metadata on a fine-grain basis for intervals shorter than a broadcast program time span, as taught by Doornhein, for the benefit of broadcasting a signal with real-time indications of additional data specific to the current program to an on-site media service.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kahn et al (6,029,046), in view of Lawler et al (5,805,763).

In regard to claim 22, Kahn discloses the method recited in claim 16.

However, Kahn fails to enable a content provider to record said media signal on a continual basis at said on-site media system to provide up-to-date media, as claimed.

In an analogous art, Lawler teaches enabling a content provider to record a media signal on a continual basis at an on-site media system to provide up-to-date media (head end 12 informs the interactive station controller 18 when to record a program;, col. 13, lines 15-22). This gives the provider the control which programs are stored/recorded locally at the subscriber location.

Consequently, it would have been obvious to one of ordinary skill in the art at the

Art Unit: 2611

time the invention was made to modify the system of Kahn with enabling a content provider to record said media signal on a continual basis at said on-site media system to provide up-to-date media, as taught by Lawler, for the benefit of maintaining content provider control over which programs are stored/recorded at an on-site media system.

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kahn et al (6,029,046), in view of Gerba et al (5,931,908).

In regard to claim 27, Kahn discloses the method recited in claim 16.

Although Kahn discloses providing several services, such as telecommunication and software downloads (col. 6, lines 33-36), thus describing a system that could be easily adapted to fit other two-way information exchanges, Kahn specifically fails to include information for retrieving data from on Internet site, as claimed.

In an analogous art, Gerba teaches including information for retrieving data from on Internet site (communication medium 32 used to coupled to Internet servers 28 to facilitate overlay functions for users; col. 9, lines 1-16), for providing the user with the ability to gain further detailed information for a selected story from a world-wide web site (col. 9, lines 1 1-16).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Kahn with including information for retrieving data from on Internet site, as taught by Gerba, to provide the user with the ability to gain further detailed information from a related world-wide web site in an electronic media device.

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kahn et al (6,029,046), in view of Sata et al (5,134,499), in further view of Krause (6,304,714).

In regard to claim 30, the combined systems of Kahn and Sata disclose the electronic media device recited in claim 5 further comprising; a single media storage device (Kahn: Fig. 2A, SRAM 216) coupled to said second adapter (coupled to 240, as seen in Fig. 2A), and a plurality of tuners (Sata: multiple tuners 1, as seen in Fig. 3 and col. 7, lines 39-50).

However, they fail to provide a media storage device having a plurality of partitions, as claimed.

In an analogous art, Krause teaches dividing the storage device into various segments (Fig. 4 and col. 7, lines 7-20) for broadcast programs (col. 7, lines 7-11 and lines 34-41), for the benefit of maintaining enough video information on disk (media recording device) to enable the viewer to have control over the interaction with the program (col. 7, lines 38-41).

Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined systems of Kahn and Sata with providing a media storage device having a plurality of partitions, as taught by Krause, to enable the viewer to have control over the interaction with the program in an electronic media device.

It would have been obvious to modify SRAM to a hard disk drive as discussed above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivek Srivastava whose telephone number is (571) 272-7304. The examiner can normally be reached on Monday – Friday from 9 am to 6 pm.

Art Unit: 2611

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272 – 7331. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vs
6/6/05


VIVEK SRIVASTAVA
PRIMARY EXAMINER